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TAGS: [PREL](#) [KWBG](#) [KPAL](#) [UNSC](#) [IS](#) [LE](#)
SUBJECT: UNSC: MONTHLY MIDDLE EAST MEETING - LIBYA KEEN FOR
RESOLUTION WHILE REST EMPHASIZE NEED FOR BILATERAL
NEGOTIATIONS

REF: STATE 120323

¶1. (SBU) Summary: The UN Secretariat's briefing to the Security Council at its monthly meeting on the Middle East on November 24 focused on the current impasse in re-launching bilateral negotiations, given continuing Israeli settlement activity. The humanitarian situation in Gaza remains troubling with the approach of winter, he noted. He also called attention to the lack of resolution 1860 implementation, rocket fire from Gaza which continued over the last month, and Israeli air strikes and incursions in response. The briefer called for a "clear strategy on the way forward" and a united position from the international community. In the Council consultations afterwards, the Libyan Perm Rep questioned the political horizon and called for a Council resolution ending Israeli settlement activity. While only Uganda voiced support for Council action, the majority of Council members emphasized the need for bilateral negotiations. There also was near consensus from members on the need for Israel to freeze settlement activity, including natural growth. Ambassador Wolff emphasized the critical importance of the two parties resuming negotiations in order to negotiate a final status agreement themselves. He stressed that a Council resolution could be a disincentive for each of the parties to negotiate and strongly urged against such a course. Several Council members also called for the reopening of crossings into Gaza with an appropriate monitoring regime and reminded about the humanitarian situation in Gaza. Only France and the UK raised the Goldstone report, calling for all parties to undertake independent investigations and urging accountability. Several Council members welcomed the new government in Lebanon and called on it to implement Council resolutions. The Libyan Perm Rep and the Palestinian Permanent Observer both addressed the press stake-out after consultations, leaving the impression that they would pursue a Council resolution on the Middle East. Ambassador Wolff later urged each privately to refrain from public statements if they hope to work with us on a way forward. End summary.

Secretariat's Briefing

¶2. (SBU) Assistant Secretary-General for Political Affairs Haile Menkerios briefed the Security Council at its monthly meeting on the Middle East on November 24. He noted that, despite all recent attempts to restart negotiations, political efforts have reached a deep impasse and much of the problem is due to a failure to implement Roadmap commitments, citing continued Israeli settlement activity as an example. He referred to the Jerusalem Planning Board's November 17 approval of an additional 900 housing units in Gilo and 17 house demolitions that were carried out in East Jerusalem over the reporting period, causing the displacement of 99 Palestinians. He reported that Palestinian President Abbas publicly announced on November 5 that he does not plan to stand for re-election. Menkerios later said that Abbas'

decision reflects a personal assessment that the peace process lacks content and credibility. He also reported that while Abbas had called on October 23 for presidential and legislative elections to be held in January 2010, they would not be held, given Hamas declaration against holding elections in Gaza and the Central Election Commission's subsequent announcement on 12 November that elections would no longer be possible. Menkerios highlighted the need for intra-Palestinian unity and praised Egyptian efforts to date, noting that Fatah has signed onto the current proposed factional agreement, while Hamas has thus far refused.

13. (SBU) Despite these setbacks, Menkerios reported that the Palestinian Authority (PA) has taken concrete steps to meet its Roadmap obligations, pursue security interests, and improve law and order. He cited the example of the PA security forces' confiscation of 20 pipe bombs on October 15 which were later handed over to the Israel Defense Forces. He noted the launch of the new "Wataniya" telecommunications company and the opening of the Jalameh crossing to Israeli-Arabs to travel into Jenin. Menkerios reported that 579 obstacles to movement still remain in the West Bank; a slight improvement from the 592 barriers that existed in September. He said there were 45 documented Israeli settler attacks on Palestinians and their olive harvests during the last month and 26 incidents of Palestinian violence toward Israeli settlers. He said Israeli raids in the West Bank resulted in 73 injured Palestinians and over 300 arrests, and two reports of armed Israeli settlers trying to take control of Palestinian homes in East Jerusalem were recorded, as well as renewed confrontations around the Haram al Sharif/Temple Mount on October 25.

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14. (SBU) On Gaza, Menkerios stated that key elements of Resolution 1860 remain to be fulfilled. He mentioned deteriorating public infrastructure, environmental degradation, and the destruction of livelihoods as areas of top concern. He reported that OCHA is finalizing a "winter response plan" which will attempt to supply the bare minimum for Palestinian humanitarian needs, including fuel and electricity, building repair materials, water pumps and sanitation devices. The Israeli government is facilitating water and sanitation projects in Gaza, he said, so UNICEF is installing two desalination units, but materials for three other approved projects are still pending entry into Gaza. He reminded the Council that the Israeli government has still not approved the UN's May 2009 pilot project request to complete USD 77 million in UNRWA and UNDP housing, school, and health facilities projects, though the UN has "left no stone unturned in seeking approval of this package in extensive consultations with the Israeli authorities and is confident of its capacity to ensure the integrity of programming." According to Israeli officials, he said, arms continue to be smuggled into Gaza and rockets capable of reaching Tel Aviv have been test-fired from the Gaza Strip. During the last month, he said, 12 rockets and mortars were fired from Gaza into southern Israel and Israel conducted 19 incursions and 9 air strikes in response, leaving one Palestinian child dead. He reiterated calls for the release of Gilad Shalit, as well as for the 9,000 Palestinian prisoners in Israeli jails. He noted that Hamas closed down the International Federation of Journalists in Gaza on November 9 and continues to restrict public assembly. Over 2,500 pilgrims left Gaza over the last month to perform the pilgrimage but 750 students have not been able to leave for study opportunities abroad.

15. (SBU) Menkerios noted the release by Israel of two Syrian prisoners from the Golan. He reiterated the Secretary-General's statement welcoming the formation of the Lebanese national unity government with the signing of the decree by President Sleiman and Prime Minister-designate Hariri on November 9, five months after Parliamentary elections took place. He said that UNIFIL's area of

operations in southern Lebanon has remained quiet since the Secretariat's briefing to the Council on the UNSCR 1701 report (November 10) but that air violations continue on a daily basis.

¶16. (SBU) In conclusion, Menkerios said that "without a credible political horizon -- including commitments made, monitored and kept, and a calling to account when obligations are breached -- forces of violence, tension and extremism on both sides will fill the vacuum." He said the Secretary-General is active with Quartet partners in seeking a "clear strategy on the way forward." Menkerios said that the Secretary-General believes this "requires immediate actions on the ground to strengthen the process, a reaffirmation of Roadmap requirements and the need for their implementation, and clear terms of reference for negotiations on all core issues grounded in the resolutions of this Council and agreements reached between the parties." He then called for the international community to take a "clear and united position."

Libya makes pitch for resolution

¶17. (SBU) Libyan Perm Rep Shalgham spoke first when the Council moved into consultations after the briefing. He questioned the political horizon when "negotiations are a failure" and "settlements are continuing." He urged the Council to "take a stand and make a decision" on its resolutions and put an end to settlements. He referred to a recent Egyptian television interview of President Abbas who had articulated his disappointment and desire to not remain in office. Shalgham said a Council resolution would be helpful but that the negotiating process did not have to be rushed. He urged the Council to convey a positive message to all the parties in the region.

Other Council members emphasize
need for bilateral negotiations

¶18. (SBU) Japanese Perm Rep Takasu emphasized that there is "no magic formula" and only genuine dialogue will solve this conflict and the Council should encourage the parties to tackle the difficult issues. He also urged support of PA President Abbas and his efforts. The Mexican Pol Counselor called for a renewal of talks and stressed the need for both

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parties to fulfill their obligations under Security Council resolutions and to respect international humanitarian law and human rights. French Perm Rep Araud called for an early resumption of negotiations for the conclusion of an agreement on two states -- "Jewish and Palestinian with Jerusalem as their capitals." He urged that "other issues should not detract from our efforts" to get the parties to resume negotiations. He said it was "not helpful to select another path." He reminded the Council that France is prepared to play its role and stands ready to host a summit of the Mediterranean with all involved stakeholders. Russian Perm Rep Churkin characterized the situation as "serious but not hopeless" and said that the Quartet fully supports Special Envoy Mitchell's efforts. He reminded the Council of Russia's readiness to host a conference in Moscow at an acceptable time but noted the need to advance on the other tracks as well. The Chinese Deputy Perm Rep called the peace process "once again at a crossroads" and called for a resumption of negotiations on a two-state solution but noted that the on-the-ground situation was not helpful. He underscored that political negotiations are the only correct path. The UK and Croatian Perm Reps offered support of U.S. efforts but noted, respectively, that prospects looked bleak and that there was deepening disillusionment. UK Perm Rep Lyall Grant urged the international community to "focus on practical steps to get the parties back to the table." He reiterated Foreign Secretary Miliband's May 11 statement of

the goal of two states based on the 1967 borders, Jerusalem as the capital, and a just settlement on refugees.

¶9. (SBU) Turkish Perm Rep Apakan reiterated what he termed the "foundations for peace: 1967 borders, Jerusalem as the capital, and a just settlement for refugees." He commented that Palestinians can better sustain an indeterminate future when there is a credible peace process. Without one in place, he said, it is "hard for them to hold out hope," so Council members are "duty-bound" to act. While Ugandan Perm Rep Rugunda called for a resumption of negotiations, he did agree with the Libyan Perm Rep that it was time for the Council to speak out. Both Turkey and China called for support of President Abbas and Prime Minister Fayyad. Costa Rican Perm Rep Urbina said that a future Palestinian state can only be based on international law, not on force. He said that his President would be traveling soon to the region with that message. He also reminded the Council of President Abbas' previous interest in Costa Rica given its lack of an army and hoped that Costa Rica could serve as a model for a future Palestinian state.

Near consensus on need for
settlement freeze

¶10. (SBU) Mexico called on both parties to comply with their Roadmap commitments. Austria, France, Japan, Mexico, and Uganda called on Israel to freeze settlement activity, including natural growth. French Perm Rep Araud decried the recent Gilo approval as "deplorable;" the Vietnamese representative called it "intolerable." Russian Perm Rep Churkin called settlement expansion "unacceptable" and that he expected the Gilo approval and other approvals to be "revisited." The Burkinabe Deputy Perm Rep said that Israel's continuation of its settlement policy is not a "conducive dynamic." Turkish Perm Rep Apakan called Israeli practices on housing "illegal" and "obstructing peace efforts." He called for them to refrain from further provocative actions. The Chinese Deputy Perm Rep called for the parties to stop unilateral actions that prejudge final status. UK Perm Rep Lyall Grant called continued Israeli settlement activity illegal and only exacerbating the tension and becoming a major obstacle. Costa Rican Perm Rep Urbina said that continued Israeli settlement expansion weakens those called upon to be Israel's interlocutors.

U.S. emphasizes that SC resolution could
be disincentive for parties to negotiate
and urges patience

¶11. (SBU) Ambassador Wolff emphasized the critical importance of the two parties resuming negotiations in order to negotiate a final status agreement themselves. He recognized that the current situation is difficult, that some have labeled it an impasse, but that we need to do better. He underscored that the Council is in broad agreement about the path and the goal -- negotiations leading to two states -- and that it would be unhelpful if all of the Council's efforts towards this were undermined by precipitate and unsuccessful efforts for a particular product. He urged

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patience, dispassion, and wisdom. He noted that there are signs of hope on a freeze on settlements, though not to the extent we would like, but nevertheless they are positive. He reiterated the White House's statement on the Gilo expansion approval and other housing demolitions in Jerusalem. He concluded by reminding the Council that Jerusalem is a permanent status issue that must be negotiated between the parties. The Council should not provide a disincentive to the parties to seek anything but a negotiated solution.

Council calls for opening

of crossings into Gaza

¶12. (SBU) The Japanese Perm Rep called for the smooth entry of goods and people into and out of Gaza and noted the GOI's lack of response to the UN's pilot program of projects. The UK, Uganda, and Croatia called for an end to rocket attacks on Israel, and Uganda called for a cessation of Israeli airstrikes in response. Austria, Croatia, France, Mexico, the UK and the U.S. stressed the need for the sustained re-opening of the crossings with an appropriate monitoring mechanism but Austria caveated there call by saying that a monitoring system should not mean hardship to the dignity of civilians. Mexico called for a lifting of the blockade since it encourages illicit trafficking. China called for a "scaling up of humanitarian efforts." France urged that the Palestinian civilians in Gaza not be forgotten and called for the release of Gilad Shalit, along with the UK. The Burkinabe Deputy Perm Rep also called attention to the humanitarian suffering in Gaza and in response to recent Israeli airstrikes. Burkina Faso, China, and Turkey all called for full implementation of UNSCR 1860 and urged all parties to use restraint. The Chinese Deputy Perm Rep voiced concern that the humanitarian situation could deteriorate further. Only France and the UK mentioned the Goldstone report; both called for all parties to undertake independent investigations and reminded that international humanitarian law should be applied and that the lack of accountability can do more harm.

Lebanon

¶13. (SBU) The French Perm Rep highlighted the formation of the Lebanese government and called on all parties to implement resolution 1701 and to support UNIFIL. He also noted that they were closely following the Secretary-General's review of UNIFIL. The Burkinabe Deputy Perm Rep urged the new Lebanese government to resolve outstanding questions on militias and disarmament through the Doha process, and he called for an end to overflights. Ambassador Wolff also welcomed the formation of the new Lebanese government and its participation next year on the Security Council. He reiterated U.S. support for the Special Tribunal for Lebanon and the need for the new government to fully implement resolutions 1559, 1680, and 1701. He asked that DPKO to brief the Council on the findings of its investigation of the Tayr Filsay explosion in its next 1701 quarterly report.

Libya and Palestinian reps drawn to press;
could make it difficult to quietly
work with them on Council product

¶14. (SBU) Libyan Perm Rep Shalgham went to the press stakeout after consultations and said that there was consensus in the Council "condemning settlements, especially in Eastern Jerusalem" and consensus on the "death of negotiations and peace." When pressed by reporters on whether Libya would table a resolution on settlements, he said, "We are concentrating on the settlements, and we hope we can have (an) outcome before the holidays, before the vacations." (Note: He did not clearly articulate to which holidays he was referring. End note.) Later on, he did recall that Libya has a draft resolution "in blue" on settlements from July 2008. Palestinian Permanent Observer Mansour then went out to the press stakeout and emphasized his interpretation of the Council's consultations, though he was not in the room, and highlighted Israel's disregard of the "unanimous position of the international community regarding stopping all settlement activities, including natural growth." He called for a "collective effort to bring Israel into compliance with the requirement of peace if we want to find a way to move forward." After speaking for several minutes, he then told the press, "So, a position, in the form of an outcome in the Security Council, in the form

of a resolution of some of these options, or all of them together, would be an available option to the international community to bring Israel into compliance, if the international community is serious about resolving this impasse, this deadlock, and finding practical ways in order, really, to open doors for the revival of the peace process." In response to a reporter's question, he later backtracked away from a settlement-specific resolution and suggested other options could be considered or a resolution "that would allow for the resumption of negotiations, which is stopping all settlement activities...and the terms of reference of the peace process."

¶15. (SBU) Ambassador Wolff later spoke privately and separately with Shalgham and Mansour and chastised both for putting their demands to the press while they simultaneously sought to work with us on exploring possible options. He emphasized that public statements raised unrealistic expectations which could make it harder for us to reach agreement on a way forward in the Council. Shalgham claimed he told the press that he wanted the U.S. on board and would not pursue the matter if we opposed it. (Note: This did not come across in the webcast of his stakeout remarks. End note.) Mansour said he had only gone to the stakeout in response to Shalgham's comments in order to lower expectations. Ambassador Wolff emphasized to him that his statement did just the opposite. Both told Ambassador Wolff that they would refrain from addressing the issue with the press while they sought to work with the U.S. in private. In a separate conversation, Arab League Observer Mahmassani approached Wolff to say that Arab League SYG Amr Moussa told him it would be better to get the U.S. on board with a Presidential Statement (PRST) than to have a failed effort for a resolution.

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